



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Mark Turcotte

Serial No.: 09/708,709

Filing Date: November 09, 2000

For: ULTRAVIOLET AIR PURIFICATION
SYSTEM

Examiner: Krisanne M. Thornton

Group Art Unit: 1744

**PETITION TO WITHDRAW
OFFICE ACTION OF SEPTEMBER 9, 2003**

Mail Stop Petition
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant respectfully requests that the office action dated September 9, 2003, be withdrawn as incomplete and all extension fees paid by applicant in responding to this office action be refunded. The details of this matter are as follows.

Applicant received an Office Action (Paper No. 7) from the U.S. Patent and Trademark Office, mail dated September 9, 2003, regarding the above-identified patent application. In the Detailed Action section of the Office Action, the examiner states that "[n]ew corrected drawings are required in this application because those filed with the application are informal" (*emphasis added*, Paper No. 7, page 2, first paragraph). Further, the examiner ends that paragraph with the statements that:

"The corrected drawings are required in reply to the Office Action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance." (Paper No. 7, page 2, first paragraph)

Upon reviewing these statements applicants' attorney contacted Examiner Thornton by telephone on or about September 13, 2003. First, applicant noted that the drawings filed were

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Docket No.: 544342000100

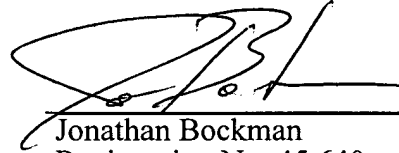
not filed informally, but were indeed formal drawings. The examiner responded that appropriate corrections were nevertheless required. Second, the undersigned noted that no drawing corrections are identified either in the Office Action and that there was no Notice of Draftsperson's Patent Drawing Review or other similar document included with the Office Action that would provide any information as to what applicant was supposed to correct. Further, the undersigned noted that the Office Action Summary did not have "Box 2" of the "Attachment(s)" section checked, thus indicating that no such Notice was even prepared. The examiner agreed and stated that applicant would receive PTO Form 948 shortly. The undersigned requested that the Form be sent by facsimile to expedite appropriate corrections.

Following the telephone conversation applicant still did not receive the PTO Form 948. On December 8, 2003, applicant filed a Request to Withdraw Office Action as Incomplete because applicant was incapable of responding to the outstanding office action without the PTO Form 948. On December 11, 2003, the Examiner finally mailed out the PTO Form 948 without responding to the Request to Withdraw Office Action as Incomplete.

Since applicant should be provided with 3 months to reply to a complete office action without incurring extension fees, the last office action should have been withdrawn and a new office action with a new date for reply should have been sent out with the PTO-948 form. Accordingly, applicant respectfully requests that Office Action (Paper No. 7) be withdrawn as incomplete for failure to provide information necessary to prepare a response. In addition applicant requests that all extension fees paid in responding to this office action be refunded to applicant.

The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this petition, or to credit any overpayment to **Deposit Account No. 03-1952** referencing docket no. 544342000100.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Bockman', is written over a horizontal line.

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Dated: March 9, 2004